

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32940 of 2019

Arising Out of PS. Case No.-79 Year-2017 Thana- NAGARNAUSA District- Nalanda

1. Nagendra Yadav @ Nagendra Kumar, Son of Rabindra Yadav Resident of Village - Bhadru Dih, P.S.- Nagarnausa, District - Nalanda
2. Asilata Devi @ Aasilata Devi Wife of Nagendra Yadav Resident of Village - Bhadru Dih, P.S.- Nagarnausa, District - Nalanda

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rudal Prasad

For the Opposite Party/s : Mr.Dashrath Mehta

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 20-05-2019 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Nagarnausa P.S. Case no. 79 of 2017, registered under Section 302 and 201/34 of the Indian Penal Code.

The accusation is that before 11 years, marriage of Sangeeta Kumari, cousin sister of the informant, was performed with Anil Yadav @ Sonu, son of Ravindra Yadav, resident of village-Bhadru Dih, P.S. Nagarnausa, District-Nalanda and she was blessed with two children aged about 9 years and 3 years, respectively. On 15.07.2017, in the morning, informant received information about murder of his cousin



sister then he went at her matrimonial house and made query then came to know that his cousin sister has been killed by her in-laws. It is alleged that elder daughter of cousin sister of informant informed that her grand father, grand mother, father, uncle and aunt killed her mother and concealed her dead body.

Learned counsel for the petitioners submits that informant is the cousin brother of the deceased. In course of investigation, the statement of Suman Kumari, younger daughter of the deceased was recorded under Section 164 of Cr.P.C. in which she stated about falling of her mother from the roof, who was rushed for treatment by her grandfather and grandmother, but she died in the way. Further submission is that while Police submitted Final Form, but learned court below took the cognizance of the offence under Sections 302 and 201/34 of the I.P.C., differing with the final form. Further submission is that both the petitioners are brother-in-law and sister-in-law of the deceased.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail



bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Judicial Magistrate, 1st Class, Hilsa in connection with Nagarnausa P.S. Case No. 79 of 2017, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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